

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF GEORGIA  
BRUNSWICK DIVISION**

UNITED STATES OF AMERICA,	:	CASE NO.: 2:18-cr-36
	:	
VS.	:	
	:	
JONATHAN LAMAR MANET,	:	
DEFENDANT.	:	

**MOTION TO SUPPRESS AND FOR RETURN OF PROPERTY**

COMES NOW, Jonathan Lamar Manet, Defendant in the above-captioned action, and moves this Court to Suppress as evidence any object, article, thing or other evidence gained or thereafter gained by officers of the McIntosh County Sheriff's Department or its agents, which were seized from the Defendant's person and/or the automobile in which he was a passenger, on or about July 3, 2017. In support of this Motion the Defendant would show this Honorable Court the following:

1.

Defendant is a person "aggrieved by an unlawful search and seizure", as such phrase is used in O.C.G.A. Section 17-5-30.

2.

The search of the person of the Defendant and/or the automobile in which the Defendant was a passenger, on July 3, 2017, and the seizure of personal effects therefrom was without a search warrant and was illegal. O.C.G.A. Section 17-5-30(a)(1).

3.

The search was not made incident to an arrest.

4.

The search was without probable cause.

5.

The search was without valid consent.

6.

The item(s) seized were not in plain view.

7.

Said search violated the provisions of O.C.G.A. Section 17-5-2, in that no inventory was furnished to Defendant.

8.

Said search and seizures violated O.C.G.A. Section 17-5-1; O.C.G.A. Section 17-5-30(a)(1); Article 1, Section 1, Paragraph 13 of the Constitution of the State of Georgia of 1983; and the Fourth and Fourteenth Amendments to the United States Constitution.

WHEREFORE Defendant prays:

(a) That this Court set a time and place for a hearing on this Motion;

(b) That said hearing be set for a time with notice adequate for Defendant to subpoena and produce witnesses on his behalf;

(c) That this Court suppress and order inadmissible against Defendant any item seized in the above-described search; and,

(d) That this Court order the return of all items of Defendant's personal property seized from the Defendant's person and/or automobile.

This 24<sup>th</sup> day of February, 2019.

Respectfully Submitted,

ALAN DAVID TUCKER, ESQ., P.C.

By: 

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Attorney for Defendant  
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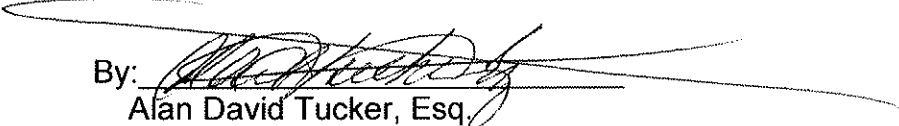
UNITED STATES OF AMERICA,	:CASE NO.: 2:18-CR-36-LGW
	:
VS.	:
	:
JOHNATHAN LAMAR MANET,	:
	:
Defendant.	:

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served all parties in this case in accordance with the directives from the Court Notice of Electronic Filing ("NEF") which was generated as a result of electronic filing.

This 24th day of February, 2019

ALAN DAVID TUCKER, ESQ. P.C.

By:   
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